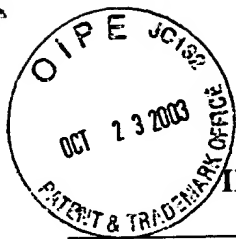


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10-24-03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECHNOLOGY CENTER 1600/2900

In re application of: Michael D. Edge
Serial No: 09/398,610
Filed: September 17, 1999
For: TRANSGENICALLY PRODUCED PROTEINS
Art Unit: 1632
Examiner: Anne Marie S. Wehbe
Attorney Docket Number: GTC-42

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER 2800**SUPPLEMENTAL RESPONSE TO NOTIFICATION OF NON-COMPLIANCE**

This is in response to the Notification of Non-Compliance mailed September 25, 2003 with regard to the completeness and explanatory power of the Summary of the Invention as filed with the Appeal Brief for the above referenced file. Applicant has followed the dictates of 37 CFR § 1.192(c)(5) with regard to a concise explanation of the invention along with citations to relevant portions of the Specification under the "Summary of the Invention" and re-submitted the brief as appropriate.

Appellants would like to specifically point out that the methods of making a transgenic animal useful in the production/expression of proteins of interest was known at the time of filing in 1999. No recapitulation of this art is necessary to enable the current invention with regard to transgenics *per se*, as it forms the basis of the relevant prior art.

As this response and the re-filing of the Appeal Brief, as amended, to the stated Notification of Non-Compliance is within the provided one month deadline no request for an appropriate extension of time is required. However, the Commissioner is authorized to charge any fee which may now or hereafter be due for this application to GTC Biotherapeutics' Deposit Account No. 502092.

Applicants respectfully submit that the claims on appeal are in condition for

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that under 37 CFR §1.10 that this correspondence is being deposited on October 23, 2003 with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage in an envelope addressed to: Mail Stop Appeal Brief - Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kristin Kaberry
Kristin Kaberry

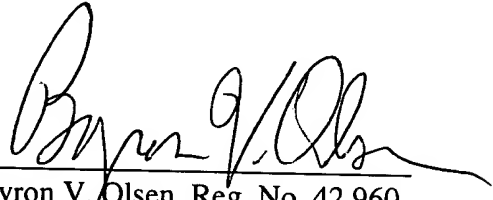
allowance. Such action is thus respectfully requested. It should also be noted that if direct contact with Applicant's attorney would advance the prosecution of the outstanding claims on appeal to allowance the Examiner is invited to telephone the undersigned at the number given below.

Early and favorable action is earnestly solicited.

Respectfully Submitted,

Date: 10/23/03

By:


Byron V. Olsen, Reg. No. 42,960
ATTORNEY FOR APPLICANT
GTC Biotherapeutics, Inc.
175 Crossing Blvd., Suite 410
Framingham, MA 01702
Tel. # (508) 370-5150
Fax # (508) 370-3797